



2727 Paces Ferry Road SE
 One Paces West, Suite 750
 Atlanta, Georgia 30339

1359 Broadway, Suite 2001
 New York, New York 10018

Darren T. Kaplan

404.537.3300, ext. 101
 212.999.7370, ext. 101
 404.537.3320 (fax)
 dkaplan@kaplangore.com
 Admitted in CT, GA and NY

MEMORANDUM ENDORSED

Via ECF

August 14, 2020

Hon. Gregory H Woods, U.S.D.J.
 United States District Court
 Southern District of New York
 500 Pearl Street, Room 2260 New York, NY 10007

**RE: *Siegel & Siegel, P.C. et al. v. Hartford Casualty Insurance Company*, 20
 Civ. 4993 — Letter Seeking Adjournment or Cancellation of Pre-
 Motion Conference**

Dear Judge Woods:

The undersigned represents Siegel & Siegel, P.C. and Siegel Law Group, P.C. (collectively “Siegel & Siegel”), plaintiffs in the above-referenced action. We write to seek an adjournment of the pre-motion conference Your Honor has scheduled for Monday August 17, 2020 (Doc. 17). Defendant Hartford Casualty Insurance Co. (“Hartford”) does not object to adjourning the conference, but, if the Court is inclined to grant the adjournment request, Hartford’s preference is for the Court to instead “So Order” the litigants’ agreed briefing schedule on Hartford’s proposed motion to dismiss as set forth infra.

With regard to the requested adjournment of the conference, Siegel & Siegel respectfully shows the Court that, first, pursuant to Your Honor’s Individual Rules of Practice in Civil Cases, Pre-Motion Conferences, Part C(i), Siegel & Siegel is entitled to “submit a letter setting forth its position within five days after the request (for a pre-motion conference) is received.” Insofar as Hartford filed its request on August 12, 2020 (Doc. 16), Siegel & Siegel’s position letter would not even be due until Midnight on August 17, 2020, i.e., the same day the pre-motion conference is currently scheduled to take place in the afternoon. Second, counsel for Siegel & Siegel herein is currently heavily pressed in litigating several other cases. Accordingly, Siegel & Siegel respectfully requests that, should the Court deem a substantive pre-motion conference necessary, such conference be adjourned to the following times when all counsel are available: any time on September 1, the morning of September 2 or the late afternoon of September 4. This adjournment will allow counsel for Siegel & Siegel to fully prepare for a substantive discussion on the proposed motion to dismiss and potentially aid the litigants in narrowing the issues the motion raises.



Hon. Gregory H. Woods, U.S.D.J.
8/14/20
Page 2

Harford does not object to an adjournment but, if the Court is inclined to grant an adjournment, would prefer instead to simply cancel the pre-motion conference and enter a briefing schedule. The parties agree that full briefing on the issues raised in Hartford's pre-motion letter is appropriate. Accordingly, the parties propose the following briefing schedule:

Service of Hartford's Motion to Dismiss on August 18, 2020

Service of Siegel & Siegel's Response to that Motion on or before September 16, 2020

Service of Harford's Reply to that Response on or before October 1, 2020.

The proposed schedule does not affect any other scheduled dates in this matter.

We have provided the Court with two alternative proposed orders reflecting the alternative paths the parties have proposed herein and we respectfully request that the Court choose the one it prefers. We thank the Court for its time and consideration.

Respectfully,

A handwritten signature in black ink, appearing to read 'Darren T. Kaplan'.

Darren T. Kaplan, Kaplan Gore LLP

Enclosure

cc: All Counsel of Record

Application denied. Plaintiffs need not submit a letter before the conference if they are unable to do so.

SO ORDERED.

Dated: August 17, 2020

A handwritten signature in black ink, appearing to read 'Gregory H. Woods'.

GREGORY H. WOODS
United States District Judge